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DECLARATION AND POWER OF ATTORNEY

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship  
5 are as stated below next to my name.

I believe I am the original, first and sole  
inventor (if only one name is listed below) or an  
original, first and joint inventor (if plural names are  
listed below) of the subject matter which is claimed  
10 and for which a patent is sought on the invention  
entitled "METHOD AND APPARATUS FOR SPINE JOINT  
REPLACEMENT", the specification of which was filed on  
03/04/2002, accorded Serial No. 10/090,293 and is  
identified by Attorney's Docket No. MED-3.

15 I hereby state that I have reviewed and understand  
the contents of the above-identified specification,  
including the claims.

I acknowledge the duty to disclose information  
which is material to the examination of this  
20 application in accordance with Title 37, Code of  
Federal Regulations, Section 1.56(a).

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I hereby claim priority benefits under Title 35,  
United States Code, Section 119(e), of United States  
Provisional Patent Application Serial No. 60/273,031  
filed 03/02/01 by E. Marlowe Goble et al. for "TOTAL  
5 SPINE JOINT REPLACEMENT" (Attorney's Docket  
No. MED-3 PROV); and I hereby claim priority benefits  
under Title 35, United States Code, Section 120, of  
United States Patent Application Serial No. 09/726,169,  
filed 11/29/00 by E. Marlowe Goble et al. for "FACET  
10 JOINT REPLACEMENT" (Attorney's Docket No. MED-1);  
United States Patent Application Serial No. 09/736,103,  
filed 12/13/00 by E. Marlowe Goble et al. for "MULTIPLE  
FACET JOINT REPLACEMENT" (Attorney's Docket No. MED-2);  
and United States Patent Application Serial No.  
15 09/797,309 filed 03/01/01 by T. Wade Fallin et al. for  
"PROSTHESIS FOR THE REPLACEMENT OF A POSTERIOR ELEMENT  
OF A VERTEBRA" (Attorney's Docket No. MED-4).

I hereby appoint Pandiscio & Pandiscio, a firm  
composed of Nicholas A. Pandiscio, Registration No.  
20 17293, Mark J. Pandiscio, Registration No. 30883, Scott  
R. Foster, Registration No. 20570, and James A.

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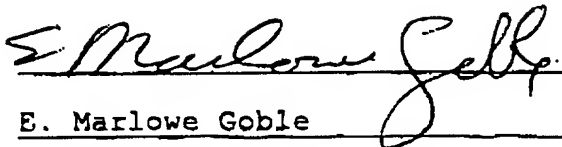
Sheridan, Registration No. 43,114 or any of them, of  
470 Totten Pond Road, Waltham, Massachusetts  
02451-1914, (Telephone No. 781-290-0060), my attorneys  
with full power of substitution and revocation, to  
5 prosecute this application and to transact all business  
in the Patent Office connected therewith.

I hereby declare that all statements made herein  
of my own knowledge are true and that all statements  
made on information and belief are believed to be true;  
10 and further that these statements were made with the  
knowledge that willful false statements and the like so  
made are punishable by fine or imprisonment, or both,  
under Section 1001 of Title 18 of the United States  
Code and that such willful false statements may  
15 jeopardize the validity of the application or any  
patent issued thereon.

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204060-26206001

- 5 -

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PS/MED3.DEC

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